B:- 118
App. F. IX-4

PV

Previous References.
A 76-42 - (1-5)

1944-45
(S.D.A)

File No. A 50-44
Serial Nos. 4,6

Later References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

Part B for Dec 44

SUBJECT

Empowering Mr. Ananthaswamy Iyer Spl-offic Harvest Acquisition work, Kadur Dt with powers under D.I.R.

Notes:- p1-5
Corr:- p1-2

To.

The D.C.

Kadur Dt

S.D. 32687 A 50-44-6 dt 11-12-44

Empowering Mr Anantha Swamy Iyer Special Officer, Harvest acquisition Kadur district, with powers under the Defence of India Rules.

Continuation Sheet. File No. / Current No. A 50 of 44 Page.

Letter no Fz. C. 6427/44-45 dated the 30th October, 1944 from the Deputy Commissioner Kadur district requesting that Mr. Anantaswamy Iyer Special officer for harvest acquisition in the Kadur district may be invested with powers under rule 75 A, 75 B, 81 (4) and 89 of the Defence of India Rules.

1) The reference cited by the Deputy Commissioner (Viz; letter no C/25-44 dated the 28th October 1944 from the Director of Food Supplies to the Development Secretary to Government) refers to the proposal to continue Mr. M. Anantaswamy Iyer, Special officer for harvest acquisition in the Kadur district till the end of January, 1945. This proposal is under consideration separately and the file on the subject is now before the Min. P.W.

2) The Deputy Commissioner Kadur district has now stated that though the Director of Food Supplies has, in the reference cited above, reported that it is not necessary to empower Mr Anantaswamy Iyer with certain powers under the

WD 0726—GPB—25,000—15-9-44

Defence of India rules (as applied to Mysore), he considers that in the interests of speedy acquisition it is necessary to invest Mr Anantasubbaiya Iyer with the powers under rules 75 A, 75 B, 81 (4) and 89 of the D.O.I. rules. This proposal is for orders.

3) The Rules 75 A 75 B, 81 (4) and 89 of the D.O.I. rules relate to the powers regarding (1) the requisitioning of property (2) the maintenance of food supplies and (3) the control of road and water transport. (* Copy placed in the file)

4) In connection with the purchase of paddy in the Kunigal taluk (Tumkur district) early in 1943 Government considered that the commandeering powers (to the Special Officer) as then proposed by the Deputy Commissioner Tumkur, were not necessary and that the delegation in such cases should be in strictly limited terms under Rule 75 A of the D.O.I. rules. (Vide - Secretariat minute in paras 59-60 of the note in the connection A 76-42 (1-5) put up.) (* Flag A)

5) It seems necessary to consult the Director of Food Supplies

2533 Empowering the Assistant Dy Commr Special Officer, Harvest acquisition / Kadur Distrct, with powers under D.O.I.

Continuation Sheet. File No. Current No. 1450 of 44 Page. Rule

on the present proposal, for the Deputy Commissioner, Kadur. If approved, the file will be forwarded to the Officer officially with a request for opinion, in the first instance.

Sub (6)

Yes. The reference should have come through the Director of Food Supplies.

19. XI Under the harvest acquisition order by which (under issue) the S.D.O. offices for food acquisition may be given all the powers of an Assistant under the order. It does not appear therefore to be necessary to invest the Asst Commr Kadur with the powers proposed by the D.C.

14/11 Forwarded with Compliments for favour of remarks

Director of Food Supplies

8/ S.D.O. Shimoga 15/11/44 for Dep. Secy

C.-25-2082 01 24.11.44

The D.C. Kadur evidently was not aware of the provisions of clause 9 & 10 and clause 14 pr entry, seizure, etc of the Articles of Food Acquisition & Hand Order of 1944-45, as it was passed on 15.11.1944. A footnote at his reference. All Food & Rev officers of and above the rank of R.D.'s have these powers. These powers are, in all conscience, ample. I agree with my

2 Rem. Cl. 25 Nov 44 Comm Kadur Letter dt 28.10.44

No 82 dt 17.11.44

17/11/44

25 NOV 1944

C. F. 69]

Continuation Sheet.

File No.
Current No. 450 of 44

Page.

Mr predecessor that further powers are unnecessary. (vide this office letter no C1, 25/44 of 28.10.44).

Secs 75 A & B have been exercised by the Govt themselves in promulgating the new Harvest order. It is too much to expect a Dy Comm to be empowered with these powers. Moreover the Dep Comm is always available for their exercise. Sec 81 (4) is a penal section & it is not clear whether the Ord. intends this particular section for delegation. This is an obvious error. Sec 83 is far too extreme a power for delegation.

10) We recommend that the Ord. kindly consider supported

Dep Ry Cmr (Gen) Kandy 23/11/44.

Dep Ry Cmr Kurunegala

11). In view of the director's opinio a reply will be sent to the Deputy Commissioner Kadawa stating that under the Articles of Food Requisition (Harvest) Order, 1944, all Food and Revenue Officers of and above the rank of Revenue Inspectors have powers for seizure, etc. which are ample and that further powers as proposed by him are considered unnecessary.

Kindly. Please put up like to the Dr Kadawa

12) Dep Cmr 27/11

13) Cr 27/11

14)

OFFICE OF THE FOR REVENUE & S.J. 7000 DEC 2 1944 No. 4447

The copy of the D.O.I. Rules kept in the file previously has not been returned by the Divl Officer

Continuation Sheet. File No. 25/33 Current No.

Page. A5 of 44

Comparing Shri M. Ramaswamy Iyer, Special Officer for land acquisition, Kadur Dist. under Rule

Dft. reply by D.C. Kadur dtd 5/12.

Issue 5/12

Key 5/12

2 - To

The D.C. Kadur Dt

S.D 3268/A50 dtd 5/12/44.

Informs that the delegation of further powers as proposed by them is unnecessary

18/12

B

Key 20/12

Divl. Office remarked vide memorandum D.O. rules copy 7

A 50-44-4

No. F2-C-6427/44-45

Office of the Deputy Commissioner,
Kadur District,
Dated, Chikmagalur, 30th October 1944.

To — D No 2520/44

The Secretary to Government of
His Highness the Maharaja of Mysore,
Development Department (Supplies),
Bangalore.

Sir,

Adverting to letter No. C1.25/44 dated 28th October 1944, from the Director of Food & Supplies addressed to you, I have the honour to invite ~~xxxxxxxxxxxxxxxxxxxxxxxxxx~~ kind reference in the last para of his letter wherein the Director of Food Supplies has stated that it is not necessary to empower Mr. Ananthaswamy Iyer under certain articles of the Defence of India Rules and to state that if the Special Officer is not empowered ~~xxxx~~ the Special Officer cannot even exercise the powers which an ordinary Revenue Inspector can exercise. The necessity for these powers was very badly felt as he had to take immediate action during his visits to villages. Unless he is properly empowered he cannot function properly and discharge his duties. Hence I request that he may be invested with all the powers under Rule 75-A, 75-B, 81 (4) and 89 of the Defence of India Rules. It was found in some cases the villagers refused to disclose their stocks and even questioned his powers to search their houses and their hagevus. If he is not invested under the above rules he cannot meet such challanges at all and as a matter of fact he could not meet the challenge and consequently there was some delay in certain cases. In one case after paddy was recovered there was no place to keep it. He could not commandeer any godown temporarily pending removal of paddy as he had no powers to do so. Having regard to the practical difficulty experienced, I request that Mr. Ananthaswamy Iyer may kindly be invested with powers under rule 75-A, 75-B, 81 (4), and 89 of the Defence of India Rules. I request that my recommendation may be accepted by Govemment in the interest of speedy acquisition.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kadur District.

G. R. S. App. F. G. 3.

GENERAL AND REVENCE SECRETARIAT.

(*Continuation sheet draft form.*)

TYPED 6/12/1944

Despatched

No. 3268 /A50 Vol-6 of 11.12.44

Subj:- Empowering Mr. M. Anantaswamy I/c Special Officer for harvest acquisition, Kadur District, under the Defence of India Rules

To

The D-C.
Kadur dist

Sir,

With reference to your letter no Fa.C. 6427/44 dated the 30th October, 1944, on the above subject, I am directed to state that under clause 9 and 10 of the Articles of Food Acquisition (Harvest) order, 1944, all Food and Revenue officers of and above the rank of Revenue Inspectors, have power for entry, seizure etc., which are ample and that the delegation

WD 0565—GPB—22,500—8-11-38

of further powers as proposed by you.
are considered unnecessary.

I have etc.,

[illegible]
Secretary to Govt.
Home Department (Congress)

Key
5/12

Memo. No. S.D. 3269 dt. 11. 12. 44.

Copy of the above forwarded w/c to the D.I.G. for information with reference to his unofficial note No. C1 - 25/ R.O. 82 dated the 24th Nov. 1944.

[illegible]
5/12
Secretary.